

**CITATION NO. ORD-00141****- OFFENSE NO. 9238 -**

ORIGINAL FILE NO. 14-11306 (Use of Force & Administrative Reports)  
FOLLOW-UP FILE (10/04/14) NO. 14-11347  
FOLLOW-UP FILE (10/05/14) NO. 14-11370  
FOLLOW-UP FILE (10/05/14) NO. 14-11350

INCIDENT REPORT NO.: 1411306  
CITATION NO. ORD-000141  
VILLAGE ORDINANCE: Vicious Dog At Large  
VILLAGE CODE SECTION: 6.28.050

<https://archive.org/details/10.03.14RAEILCITATIONS000141000142000143>

**NOTICE OF ORDINANCE VIOLATION**

Village of Berkeley, Complainant  
5819 Electric Avenue, Berkeley, Illinois 60163

**CITATION# ORD- 000141**

Violator's Name: GINA STONE  
Address: 1148 TAFT AVE  
BERKELEY IL 60163  
Driver's License: S350-2939-0797  
Date of Birth: 07 / 11 / 1990

did on Date 10/3/14 at Hour 5:10 AM/PM violate the  
following Village ordinance:

VICIOUS DOG AT LARGE

Village Code section 6.28.050  
at 1148 TAFT AVE Berkeley, IL.

**Parking**

☐ No Parking 1-6 AM  
☐ Fire Lane  
☐ Handicapped Space

**Other Violations**

☐ Zoning  
☐ Property Maintenance  
☐ Building Code  
☐ Residential Code

Defendant served by ☒ personal service, ☐ mail, ☐ placed on vehicle

☒ You are required to appear at an administrative hearing  
Hearing Date 11/12/14 Time 2:00 PM at Village Hall, 5819 Electric  
Avenue, Berkeley, Illinois

☐ must appear with parent

or

☐ You may pay a fine of \$\_\_\_\_\_ or 1/2 of that amount if paid within 10 days, or call  
the Hearing Administrator at 708-234-2616 to request an administrative hearing.

The maximum daily penalty is \$750. A judgment for failure to appear or unpaid fines  
will increase up to the maximum fine allowed plus costs and late penalties. The

<https://archive.org/details/10.03.14RAEILINCIDENTNO.1411306TYPED>

**MULTIPLE OFFENSES - INCIDENT INFORMATION****INCIDENT: 1411306****TICKET#: ORD000141****CASE STATUS: 03 Cleared by Arrest - Adult****OFFENSE: 9238 Vicious Dog at Large****REPORT STATUS:****ARRESTING OFFICER: 119 J. PARKER****2ND OFFICER:**

**INCIDENT ADDRESS: 1148 Taft Ave**  
**BERKELEY 60163**

**GENERAL LOCATION:**

DATE OCCURRED	TIME OCCURRED	DATE REPORTED	TIME REPORTED	REF#
10/03/14	17:10	10/03/14	17:10	

**HOW REPORTED:****RECEIVED BY: 052****PHOTOS?: N****VCR?: N**

**LOCATION DESCRIPTION**  
**291 Residence Yard**

BEAT AREA	CITY/ TOWNSHIP
-	0485



# VILLAGE OF BERKELEY, ILLINOIS POLICE DEPARTMENT

5819 Electric Avenue, Berkeley, Illinois 60163  
Telephone: (708) 449-8224

PHILLIP J. SMITH  
CHIEF OF POLICE  
psmith@berkeley.il.us



ROBERT E. LEE, JR  
VILLAGE PRESIDENT  
rlee@berkeley.il.us

## Use of Force Supervisor's After Action Report

### General Information

1. Date <b>10/3/14</b>	2. Time <b>1710</b>	3. Incident Type <b>VIOLENT DOG</b>	4. Report Number <b>14-11306</b>
5. Address/Location of Incident <b>1148 TAFT AVE</b>		6. Officer Involved <b>Ofc PARKER #112</b>	7. Uniformed Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
8. Lighting Conditions (mark all that apply) <input checked="" type="checkbox"/> Daylight <input type="checkbox"/> Darkness <input type="checkbox"/> Poor Artificial <input type="checkbox"/> Good Artificial <input type="checkbox"/> Other (describe)			
9. Weather Conditions <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Fog <input type="checkbox"/> Snow <input type="checkbox"/> Other (describe)			10. Video <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. Type of Video <input type="checkbox"/> TASER Cam <input type="checkbox"/> In-Squad <input type="checkbox"/> Other (describe) <b>N/A (LIGHTS NEVER ACTIVATED)</b>			

### Injuries

12. Officer(s) Injured <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	13. Describe All Injuries <b>N/A</b>
14. Medical Treatment <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	15. Type of Treatment None <b>N/A</b>
16. Suspect Injured <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes fill in #17	17. Describe All Injuries <b>GUNSHOT WOUND TO MOUTH AREA</b>
18. Medical Treatment <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes fill in #19	19. Type of Treatment <b>TRANSPORTED TO DUPAGE ANIMAL HOSPITAL (ANTIDOTE FOR DOG)</b>

### Firearms

20. Suspect Armed With <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle/Assault <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife <input type="checkbox"/> Other (describe) <b>N/A (DOG)</b>	
21. Officer Weapon <input type="checkbox"/> Glock 22 <input checked="" type="checkbox"/> Glock 23 <input type="checkbox"/> Other (Specify) <b>40 CALIBER</b>	22. Number of Shots <b>1</b>
23. Officer Information <input checked="" type="checkbox"/> Right Handed <input type="checkbox"/> Left handed	24. Additional Information <b>N/A</b>

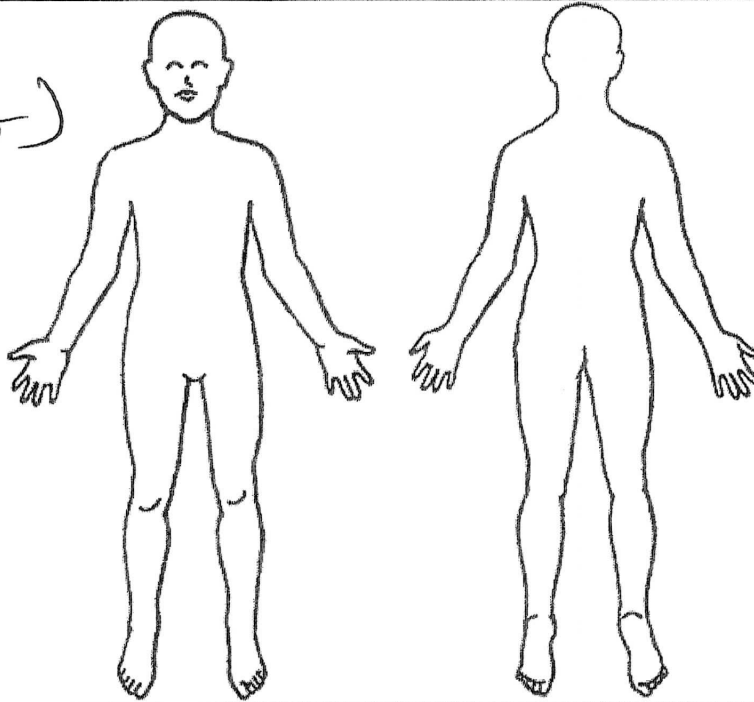
## Non-Deadly Weapons

22. Type Of Force <input type="checkbox"/> Baton <input type="checkbox"/> OC <input type="checkbox"/> TASER (fill out #23,24,25,26) <input type="checkbox"/> Other (specify) <span style="float: right;">N/A</span>	
23. TASER <input type="checkbox"/> Drive Stun <input type="checkbox"/> Probe Deployment <input type="checkbox"/> Probe Deployment and Drive stun <input type="checkbox"/> Laser/low light Display <input type="checkbox"/> Arc Display <input type="checkbox"/> Laser/low light and Arc Display	24. Taser # <span style="float: right;">N/A</span> Cartridge Serial # (if probes deployed) Number of Cycles
25. TASER Cam/Data Downloaded <input type="checkbox"/> Yes <input type="checkbox"/> No <span style="float: right;">N/A</span>	26. Downloaded to <span style="float: right;">N/A</span>
27. Describe location on suspect force applied (also see diagram box 37) <div style="font-size: 1.2em; font-family: cursive;">(1) GUNSHOT TO DOG'S MOUTH</div>	

28. Photos Taken Suspect <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Officer <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	29. Taken By <div style="font-size: 1.2em; font-family: cursive;">N/A</div>
30. Incident Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
31. Narrative (also include witness information) <div style="font-size: 1.2em; font-family: cursive;">                     WITNESS / COMPLAINT: KENNETH ELAZIER, 620-251-1751                      KENNETH ELAZIER CONTACTED THE DEPARTMENT TO ADVISE                      OF (2) CHILDREN HAVING A HARD TIME WITH A DOG (PIT BULL).                      OFFICER PARKER WAS FIRST ON SCENE. THE DOG LUNGED                      AT OFFICER PARKER IN AN AGGRESSIVE MANNER, CAUSING                      OFFICER PARKER TO DISCHARGE (1) ROUND FROM HIS FIREARM, STRIKING THE                      DOG.                 </div>		
32. Suspect Name <div style="font-size: 1.2em; font-family: cursive;">(DOG) PITBULL</div>	33. DOB <div style="font-size: 1.2em; font-family: cursive;">_____</div>	34. Home Phone <div style="font-size: 1.2em; font-family: cursive;">_____</div>
35. Alternate Phone <div style="font-size: 1.2em; font-family: cursive;">_____</div>		
36. Address <div style="font-size: 1.2em; font-family: cursive;">1148 TAFT, OWNER OF DOG (GENA STONE)</div>		

37. Mark areas of injury on offender, include TASER Probe hits and drive stun locations.

N/A  
(DOB)



38. Supervisor Signature & Date

 10/4/14

**Below to be filled out by reviewing Supervisor(s) only**

Policy Violation

☐ YES

☒ NO

(Yes requires comment and recommendation below)

Comments & Recommendations

Review Supervisor(s) Signature and Date



PHILLIP J. SMITH  
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## VILLAGE OF BERKELEY, ILLINOIS POLICE DEPARTMENT

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Telephone: (708) 449-8224



ROBERT E. LEE, JR  
VILLAGE PRESIDENT  
rlee@berkeley.il.us

10/4/14

To: Chief Phillip Smith

From: Sergeant Justin Patti

Re: Administrative report (BPD case # 14-11306)

Chief Smith-

I have conducted an investigation regarding Berkeley PD case # 14-11306. The incident involved Berkeley Officer's responding to a call of two children struggling with a Pit Bull at 1148 Taft Ave. The call was made by a Kenneth Elazier of . Officer Parker was first on scene and dealt with the children and the dog. Officer Parker advised me that the children couldn't handle the dog and the dog was becoming aggressive. The dog became more aggressive upon Officer Parker's arrival. Officer Parker explained the dog continued to come towards him in an aggressive manner with an approximate distance of two feet between himself and the dog, when Officer Parker discharged (1) round from his service weapon. Officer Parker's weapon is described as a Glock 23, 40 Caliber. It was later determined the dog had been struck in the mouth area. Officer Parker and myself later searched the area for the casing, with negative results. The dog continued to run through the yards of the 1100 blocks of Taft and Herbert. It took Officer Parker, Officer Larem, Officer Rodriguez, and myself to finally corner the dog between a fence and a shed in the backyard of 1114 Herbert. At that point, the dog was secured with two dog poles and the owner was present to assist, if needed. The owner was identified as Gina Stone of 1148 Taft. It should be noted, we had to use a citizens Dewalt drill to remove the fence panels to access the dog. The dog had two dog poles on its neck at that point due to its aggression and unpredictable state. The determination was then made for Officer Larem to keep the dog poles secured on the dog and transport the dog in the rear of his vehicle to the Dupage Animal Hospital. The owner requested and agreed to the transport of her dog to the animal hospital and Mrs. Stone followed Officer Larem to the animal hospital.

On 04 Oct 14 at 0846 Hrs, I canvassed the surrounding homes of 1148 Taft for any witnesses to the incident.

, I spoke to Rhonda Watson, that advised she was in the kitchen and heard a "pop". Rhonda heard a whimpering which she thought was on a TV in the home. Rhonda stated she then looked outside and saw an officer with a gun. No further statement was provided.





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I spoke to a Wanda Williams, , that advised she was on the side of her home on her driveway when she saw an officer with his weapon drawn and heard one shot, "maybe a couple shots". Wanda advised she saw the dog run away and the kids were being yelled at to get inside the house. No further statement was provided.

I left a message for the homeowner to call me. Contact information was left.

I spoke with a Ruben Rivera, that advised he was in his home and he heard one gunshot. Rivera stated he did not hear or see anything else until he came outside and saw the officers trying to catch the dog. No further statement was provided.

It should be noted that the complainant, Kenneth Elazier, provided Officer Parker and I with his own hand written statement of what occurred on 03 Oct 14. The statement was saved and attached to the case file.

0929 Hrs. I went to the Dupage Animal Hospital at 377 E. North Ave, Villa Park, IL and spoke with a worker named Kimberly. Kimberly advised she could provide me with some of the details but that I should follow up with Brian Jeffrey who is the office manager. Kimberly advised she had a message into Brian to call me. Kimberly advised the dog was given antibiotics and that the owner is to administer the antibiotics to the dog. The amount of the services for the dog came out to \$262.25. I explained I would talk to Brian about the billing. Shortly thereafter, Brian called me and discussed the matter with me. Brian stated that Gina Stone verbally stated she would pay the bill. Brian also stated an invoice was emailed to Mrs. Stone. Brian stated that Mrs. Stone also refused some additional medications for the dog and the follow up appointment had been cancelled. Brian stated that he would continue to seek payment through Mrs. Stone.

I have completed a use of force incident report, along with Officer Parker's initial report and attached all pertinent documents with the original case file for your review.

My findings with this matter, is that Officer Parker utilized a level of force appropriate to control the situation and should not be found of any wrongdoing. Officer Parker should be commended for his actions and demonstrated a professional demeanor given the stress of the situation. Should you have any questions, please contact me.

Respectfully,

Sergeant Justin Patti

BERKELEY P.D.  
OFFICER NARRATIVE  
REPORT:1411306

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BERKELEY POLICE  
SUPPLEMENTARY REPORT

ORIGINAL FILE: 14-11306  
FOLLOW UP FILE NO. 14-11347

OFFENSE: VICIOUS DOG  
RECLASSIFIED TO:  
VICTIM: VILLAGE OF BERKELEY  
LOCATION:  
DATE AND TIME: 10-4-14 AT 1443 HOURS

REPORT: INTERIM  
CASE STATUS: OPEN

ON 04 OCTOBER 14 AT 1443 HOURS, I WENT TO AND SPOKE WITH  
THAT CALLED THE STATION, REFERENCE BPD CASE  
#14-11306. STATED AT THE TIME OF THE INCIDENT, HE WAS  
SITTING AT HIS KITCHEN TABLE, WHEN HIS DAUGHTER  
ADVISED THERE WERE TWO KIDS RUNNING NEAR THE HOUSE/DRIVEWAY.  
ADDITIONALLY, THE KIDS WERE CHASING THE DOG AND HITTING IT, POSSIBLY  
WITH STICKS OR PIPES. ESPOSITO ALSO STATED THE KIDS HAD NO SHOES ON.  
ESPOSITO ADVISED THAT MICHELLE WITNESSED THE DOG LUNGE AT THE OFFICER.  
ESPOSITO ADVISED MICHELLE WAS CURRENTLY AT WORK. I PROVIDED ESPOSITO  
WITH MY CONTACT INFORMATION FOR MICHELLE TO CALL ME. ESPOSITO STATED  
HE WOULD RELAY THE INFORMATION.

DATE OF REPORT: 10-4-14  
REPORTING INVESTIGATOR: SGT. J. PATTI, #5

BERKELEY P.D.  
OFFICER NARRATIVE  
REPORT:1411306

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BERKELEY POLICE  
SUPPLEMENTARY REPORT

ORIGINAL FILE NO. 14-11306  
FOLLOW UP FILE NO. 14-11370

OFFENSE: VICIOUS DOG

VICTIM: VILLAGE OF BERKELEY

LOCATION OF INCIDENT:

DATE & TIME OF OCCURRENCE: 05 OCT 14/0813 HOURS

REPORT: INTERIM  
CASE STATUS: OPEN

ON 05 OCTOBER 14 AT 0813 HOURS, I WENT TO AND MET WITH  
KEN ELAZIER. ELAZIER PROVIDED A VOLUNTARY WRITTEN STATEMENT.  
STATEMENT WAS LATER ATTACHED TO CASE FILE.

REPORTING OFFICER: SGT. J. PATTI  
DATE OF REPORT: 10-05-14



BERKELEY P.D.  
OFFICER NARRATIVE  
REPORT:1411306

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BERKELEY POLICE  
SUPPLEMENTARY REPORT

ORIGINAL FILE NO. 14-11306  
FOLLOW UP FILE NO. 14-11350

OFFENSE: VICIOUS DOG (CHILD NEGLECT & ANIMAL CRUELTY INVESTIGATION)  
RECLASSIFIED TO:  
VICTIM: VILLAGE OF BERKELEY  
LOCATION: STATION - 5819 ELECTRIC AVE  
DATE & TIME: 05 OCT 14/APPROX. 1830 HOURS

REPORT: INTERIM  
CASE STATUS: OPEN

ON 05 OCT 14 AT APPROXIMATELY 1830 HOURS, MICHELLE ROBERTS AND SARAH  
CAME TO THE STATION TO  
PROVIDE A STATEMENT ABOUT WHAT OCCURRED, REFERENCE BPD CASE #14-11306.  
MICHELLE STARTED OUT BY SAYING SHE OBSERVED THE TWO KIDS FROM 1148  
TAFT ON HER PROPERTY AT : CHASING THE DOG AND HITTING THE  
DOG WITH A CONDUIT PIPE AND STICKS. MICHELLE ALSO STATED THE KIDS  
WERE NOT DRESSED PROPERLY AND HAD NO SHOES ON. MICHELLE SAID THE KIDS  
WERE BEING NEGLECTED AND IF NOBODY CALLS DCFS, SHE WILL. I EXPLAINED  
THAT THE POLICE ARE MANDATED REPORTERS AND THAT THE INCIDENT WOULD BE  
HANDLED ACCORDINGLY. MICHELLE ALSO STATED SHE HEARD A GUNSHOT BUT  
CLARIFIED SHE DID NOT ACTUALLY WITNESS THE INCIDENT.

SARAH ROBERTS STATED SHE TRIED TO ASSIST THE CHILDREN WITH THEIR LOOSE  
DOG, HOWEVER, SHE SAID THE DOG STARTED GROWLING/SNARLING AT HER AND  
APPEARED THAT IT MAY BECOME AGGRESSIVE TOWARDS HER. SARAH STATED SHE  
RETREATED AND NO LONGER ASSISTED.

NO FURTHER STATEMENTS WERE PROVIDED. I WILL ATTACH THE SUPPLEMENTAL  
REPORT TO CASE FILE AND KEEP CASE OPEN, PENDING DCFS FINDINGS AND  
INVESTIGATE THE CLAIMS OF CHILD NEGLECT AND ANIMAL ABUSE.

DATE OF REPORT: 10-5-14  
REPORTING INVESTIGATOR: SGT. PATTI, #5